

ENTERED

August 02, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

STATE FARM LLOYDS AS SUBROGEE	§	
OF AURORA MARTINEZ,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. 2:23-CV-00004
	§	
AEP TEXAS INC.,	§	
	§	
Defendant.	§	

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**


On July 13, 2023, United States Magistrate Judge Mitchel Neurock issued a “Memorandum and Recommendation of United States Magistrate Judge” (M&R, D.E. 11), recommending that Plaintiff’s Motion for Leave to Join a Party and File First Amended Complaint (D.E. 10) be granted. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s M&R. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s M&R is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s M&R. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s M&R (D.E. 11), and all other relevant documents in the record, and

finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the Motion for Leave to Join a Party and File an Amended Complaint (D.E. 10) is **GRANTED** and the Clerk of Court is **ORDERED** to file the amended complaint (D.E. 10-1) as an independent document on the docket of this case. Because the amended complaint joins a nondiverse party, the Court **FINDS** that it does not have subject matter jurisdiction and this action is **REMANDED** to the 319th Judicial District Court of Nueces County, Texas.

ORDERED on August 2, 2023.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE